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Attorneys for Merrill Lynch & Co., Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OPERATIVE PLASTERERS & CEMENT	
MASONS LOCAL 262 PENSION AND	: 07 CV 11085
ANNUITY FUNDS, Derivatively on Behalf of	:
Nominal Defendant MERRILL LYNCH & CO.,	:
INC.,	: <u>AFFIDAVIT OF SERVICE OF</u>
	: <u>NOTICE OF REMOVAL</u>
Plaintiff,	:
	:
-against-	:
	:
E. STANLEY O'NEAL, AHMASS L. FAKAHANY,	:
GREGORY J. FLEMING, JEFFREY N. EDWARDS,	:
CAROL T. CHRIST, ARMANDO D. CODINA,	:
VIRGIS W. COLBERT, ALBERTO CRIBIORE,	:
JOHN D. FINNEGAN, JUDITH MAYHEW JONAS,	:
JOSEPH W. PRUEHER, ANN N. REESE,	:
CHARLES O ROSOTTI,	:
	:
Defendants.	:
	:
and	:
	:
MERRILL LYNCH & CO., INC.,	:
	:
Nominal Defendant.	:
-----	x

[illegible]

Eloy G. Echeguren, being duly sworn, deposes and says:


1. That deponent is over eighteen years of age, not a party to the action and employed by Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036.

2. That on the 7th day of December 2007, deponent served a true copy of the


- ***Notice of Removal,***
- ***Guidelines for Electronic Case Filing,***
- ***Procedures for Electronic Case Filing and***
- ***3rd Amended Instructions for Filing an Electronic Case or Appeal***

by hand delivery upon:

The Brualdi Law Firm, P.C.
Richard B. Brualdi, Esq.
Gaitri Boodhoo, Esq.
Ayesha N. Onyekwelu, Esq.
29 Broadway, Suite 2400
New York, NY 10006


Eloy G. Echeguren

Sworn to me before this
7th ~~day~~ of December 2007.


Steven Ray Katzenstein
Notary Public, State of New York
No. 01KA4745340
Qualified in Queens County
Certificate Filed in New York County
Commission Expires June 30, 2011